

**MINUTES OF THE MEETING OF THE  
ALABAMA DEPARTMENT OF PUBLIC HEALTH (ADPH)  
ALABAMA MEDICAL DIRECTORS' ADVISORY (ALMDA) COMMITTEE  
July 28, 2017**

Linkside Conference Center  
Terrace Room  
Destin, Florida

**Board of Directors Present**

J. Grier Stewart, M.D., President  
Steve Furr, M.D., C.M.D., President-elect  
Kendra Sheppard, M.D., M.S.P.H., C.M.D., Chair  
Henry Beeler, M.D., C.M.D.  
Greg Hill, M.D., C.M.D.  
Donald Marshall, M.D., C.M.D.  
David Rhyne, M.D.  
George Sutton, M.D., C.M.D.  
Sally Ebaugh, M.D., C.M.D., Secretary  
Charlotte Wynn, C.R.N.P.  
Louis DiValentin, M.D., C.M.D.  
James Yates, M.D., C.M.D.  
Boyde J. Harrison, M.D., C.M.D.  
David MacRae, M.D., C.M.D.  
Charles Nevels, M.D.

**Board of Directors Absent**

Dick Owens, M.D.

**Staff Present**

P. Scott Harris, M.D., M.P.H., Acting State Health Officer  
Walter T. Geary, Jr., M.D., Assistant State Health Officer for Regulatory Affairs  
Dennis Blair, Director, Bureau of Health Provider Standards  
Diane Mann, Liaison, Bureau of Health Provider Standards  
Mia Sadler, State Program Director, Bureau of Health Provider Standards

**Medical Directors Present**

Clare Hayes, M.D.  
David Barthold, M.D.  
Michael Reeves, M.D.

**Guests**

Katrina Magdon  
Bill O'Conner  
Angie Cameron Smith, J.D.  
Richard Brockman, J.D.

**CONSIDERATION OF THE MINUTES OF JANUARY 28, 2017:**

The Committee recommended approval of the Minutes of January 28, 2017, as distributed; the motion carried unanimously.

**INTRODUCTION OF THE ACTING STATE HEALTH OFFICER:**

Dr. Scott Harris was introduced as the Acting State Health Officer for the Alabama Department of Public Health. Dr. Harris provided a brief biographical sketch and expressed his interest in this exchange of ideas and information.

**UPDATE ON THE PORTABLE DO NOT ATTEMPT RESUSCITATION (DNAR) RULE AND FORM:**

The Portable DNAR rule and form are now available in Spanish and accessible through the ADPH website, [alabamapublichealth.gov](http://alabamapublichealth.gov).

**UPDATE ON CERTIFICATION OF HEALTH CARE DECISION SURROGATE:**

The surrogate rules and forms have been reviewed as a result of the portable DNAR rule. There are some problems with it. The requirements for guardians were changed in 2012 by the legislature; however, an amendment to the National Death Act may be required to include close friends and care givers.

**UPDATE ON THE CIVIL MONEY PENALTY (CMP) PROJECT FOR FREE ACCESS TO THE AMERICAN MEDICAL DIRECTORS ASSOCIATION'S (AMDA) CLINICAL PRACTICE GUIDELINES & ON-LINE CONTINUING MEDICAL EDUCATION:**

After Medicaid signs the contract, the CMP fund for the AMDA Clinical Practice Guidelines will be available to all nursing home staff. Dr. Harrison suggested a joint letter be written to support this project and Dr. Geary agreed.

**REPORT ON THE PROJECT TO REDUCE HOSPITAL ADMISSIONS FOR LONG TERM SKILLED NURSING FACILITIES (SNF) RESIDENTS:**

Dr. Hays reported that Alabama was fortunate to have received the Phase Two payment model. The payment is for six conditions that are in the nursing home accounting for about 80 percent of the hospitalizations. This model allows \$200 more per day for 14 days. Physicians will be paid at a higher level with the expectations that they see the patient daily for a certain

number of days. There are many SNFs and physicians are at the top for payment, but at least half of the homes eligible, but are not billing this enhanced reimbursement. It does require enhanced nursing skills for managing these conditions in the nursing home. A discussion was held to determine if the amount of money being paid is sufficient. There are many insurance plans that do not participate in the enhanced payment.

#### **CARBAPENEM-RESISTANT ENTEROBACTERIACEAE (CRE) INFECTIONS:**

Dr. Geary discussed CRE infections and how they concern nursing homes. He stated that it seems to be an overreaction and fear similar to the concerns felt in the 1980's when MRSA and HIV were first introduced in to the nursing home. Mia Sadler provided a report on the efforts of Center for Medicaid and Medicare Services (CMS) on infection and control. CMS would like for all facilities to complete a risk analysis of the facilities in geographic areas, due to regulatory requirements that would be effective in November.

#### **DISCUSSION OF THE NEW REGULATIONS ON THE PHARMACY MEDICATION REVIEW ADDITIONAL COMMENTS:**

There is a change in regulations for the review of the drug regimen by the pharmacist. If there is no response from the attending physician, the director of nursing, and medical director must respond. If the medical director is the attending physician, the SNF must have a mechanism for an outside consultant for a physician response to the pharmacy medication report. Mia Sadler interjected commented on the past incidents, such a monitoring for Coumadin effects and surveyors looking at the response if the pharmacist recommended that the international normalized ratio be checked.

CMS has been incorporating new regulations, tags 540 to 949, with the new survey process. Dr. Geary suggested that each council member obtain a copy of the "Cross Walk" from CMS. The pdf file will be sent to ALMDA to post on their website.

**FURTHER DISCUSSION:**

A discussion was held regarding identification of resident's code status. CMS disapproves of the use of a wrist ID band that would clearly identifies certain residents, to other residents and visitors, due to stigmatization. A suggestion was made that all residents wear a similar wrist band with encoded information that is known only to employees. This would be acceptable for medication administration and code status.

Dr. Geary informed the association that he would be retiring from ADPH on October 1, 2017.

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J. Grier Stewart, M.D., President  
The Alabama Medical Directors Association

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Walter T. Geary, Jr., M.D., Assistant State Health Officer for Regulatory Affairs  
Alabama Department of Public Health